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Attorneys for
Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NETWORK APPLIANCE, INC.

Plaintiff/Counterdefendant,

v.

SUN MICROSYSTEMS, INC.,

Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL (JCS)

**[PROPOSED] ORDER AND
STIPULATION REGARDING BRIEFING
SCHEDULE FOR MOTIONS TO AMEND
INFRINGEMENT AND/OR INVALIDITY
CONTENTIONS**

Pursuant to the Court's June 19, 2009 Order Regarding Discovery Letters; Order Denying Shortened Time on Sun's Motion to Strike Portions of Network Appliance, Inc.'s Expert Reports, Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through their undersigned attorneys of record, hereby stipulate and agree as follows:

(1) The parties shall file any motions to amend infringement and/or invalidity contentions no later than July 10, 2009;

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(2) Opposition briefs to any motions to amend infringement and/or invalidity contentions shall be filed no later than July 17, 2009;

(3) Reply briefs to any motions to amend infringement and/or invalidity contentions shall be filed no later than July 21, 2009;

(4) The hearing on any motions to amend infringement and/or invalidity contentions shall be scheduled for August 11, 2009 at 9:00 a.m. in Courtroom E, 15th Floor, of the above-titled Court.

Dated: June 26, 2009

DLA PIPER LLP (US)

/s/ Christine K. Corbett

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Dated: June 26, 2009

/s/ Patricia Young

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Attorneys for
NetApp, Inc.

1 IT IS SO ORDERED

2 Dated: June 26, 2009

